

VIA FIRST CLASS MAIL

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*Laurie Olds*  
Laurie Olds

LUD-5543.3 JEL/NDH (10027207)

#15  
JM  
6/27/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant : L. DUMOUTIER, et al.  
Serial No. : 09/751,797  
Filed : December 29, 2000  
For : ISOLATED NUCLEIC ACID MOLECULES WHICH ENCODE T CELL INDUCIBLE FACTORS (TIFs), THE PROTEINS ENCODED, AND USES THEREOF  
Art Unit : 1644  
Examiner : Amy Decloux

March 5, 2003

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

NOTICE OF APPEAL  
(37 CFR §1.191, MPEP 1205)

The claims in this application have been twice rejected. Pursuant to the above referenced sections of the CFR and MPEP, applicants hereby appeal the rejection of the claims.

Applicants are appealing the rejections of claims 1, 3, 4, 7, 8, 10, 11, 14, 15, 16, 18, 19 and 50. All but claim 50 have been twice rejected, but the rejection of claim 50 is identical to the rejection applied twice to the remaining claims.

The required fee, pursuant to 37 CFR §1.17(b), is \$160.00. A check in this amount accompanies this Notice. Should the check become dislodged and lost, or the fee be incorrect in any way, authorization is given to make the appropriate adjustment to Deposit Account 500624.

Respectfully submitted,

FULBRIGHT &amp; JAWORSKI, L.L.P.

*Norman D. Hanson*

Norman D. Hanson, Esq.  
Registration No. 30,946

25270492.1

FULBRIGHT & JAWORSKI L.L.P. VENDOR: 156067 Commissioner of Patents and Trademarks CHECK NO: 43433

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**FULBRIGHT & JAWORSKI L.L.P.**

A Registered Limited Liability Partnership  
666 Fifth Avenue  
New York, New York 10103

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TO THE ORDER OF  
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Washington, D.C. 20231

*William Bush*  
Authorizing Signature

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VIA FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on June 6, 2003.

  
Laurie Olds

LUD-5543.3 JEL/NDH (10027207)

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June 6, 2003

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

LETTER

During a June 5 conversation with Primary Examiner Saunders concerning another application, the undersigned was advised that the examiner assigned to this application had approached Examiner Saunders because, while she had received a Brief on Appeal, she had not received a Notice of Appeal.

A Notice of Appeal was timely sent, and carried a certificate of mailing. Apparently, it was lost in the mail or at the PTO since applicants did not receive the stamped, return receipt postcard.

Pursuant to 37 CFR §1.8(b)(1), applicants are advising the USPTO promptly after they became aware that the PTO has no record of the correspondence.

Pursuant to 37 CFR §1.8(b)(2), a copy of the previously mailed correspondence and certificate is attached.

Pursuant to 37 CFR §1.8(b)(3), a certificate attesting to the personal knowledge of Laurie Olds is attached.


25303421.1

LUD 5543.3 JEL/NDH (10027207)

Hence, the requirements of the regulation are satisfied.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

  
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Norman D. Hanson, Esq.  
Registration No. 30,946

10:27 AM 6/6/03 Transmission Record  
Received from remote ID "212 318 3788"  
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Laurie Olds  
Laurie Olds

LUD-5543.3 JEL/NDH (10027207)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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June 6, 2003

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

STATEMENT  
OF LAURIE OLDS  
(37 CFR §1.8(b)(3))

Laurie Olds, Esq., hereby states as follows:

1. I am an assistant to Norman Hanson, the attorney in charge of the above application.
2. On March 5, 2003, I prepared a Notice of Appeal for this application, a copy of which is attached. I sent it via first class mail, as is attested to on the Notice of Appeal.
3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

June 6, 2003  
Date

Laurie Olds  
Laurie Olds, Esq.

25303446.1

ND14

Atty Docket No.: LUD-5543.3

**Reference:**

**Inventor:** L. Dumoutier, et al.

**Application** 09/751,797

**Filing Date:** 12/29/00

**Title:**

ISOLATED NUCLEIC ACID MOLECULES WHICH ENCODE T CELL  
INDUCIBLE FACTORS (TIFs), THE PROTEINS ENCODED AND USES. .

**Documents Filed:**

Notice of Appeal

Check for \$160.00 filing fee

**Via:** First Class Mail

**Sender's** LO

**Date:** 03/05/03

# FULBRIGHT & JAWORSKI L.L.P.

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WWW.FULBRIGHT.COM

## FACSIMILE TRANSMISSION

DATE: June 6, 2003

MATTER NUMBER: 10027207

RECIPIENT(S):	FAX NO.:	PHONE NO.:
Examiner A. DeCloux USPTO, Group 1644	703-746-4982	

FROM: Norman Hanson

USER ID: NH01030 FLOOR: 24

PHONE: (212) 318-3168

FAX: (212) 318-3400

RE: LUD 5543.3

NUMBER OF PAGES WITH COVER PAGE: 7

### Message:

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